

**FILED VIA EFS**

Attorney Docket No.: 10002-701.407

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/658,449 Confirmation No. 5178  
Applicant(s) : Mark A. REILEY  
Filing Date : September 9, 2003  
Art Unit : 3738  
Examiner : Christopher D. PRONE  
Title : Facet Arthroplasty Devices and Methods  
Customer No. : 66854

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**MailStop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.114**

Sir:

This communication is in response to the Final Office Action dated June 18, 2009, for which a response is due September 18, 2009. A three month extension of time is hereby requested for this filing, extending the due date to and including December 18, 2009. Filed herewith is a Request for Continued Examination (RCE). Please consider the remarks as follows.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.